

Amendment No. 3 to SB1916

McNally
Signature of Sponsor

AMEND Senate Bill No. 1916*

House Bill No. 1420

by deleting Section 21 of the printed bill in its entirety and by substituting instead the following:

SECTION 21. Tennessee Code Annotated, Section 68-221-409, is amended by deleting the section in its entirety and by substituting instead the following:

§ 68-221-409

(a) Any person proposing to construct, alter, extend or repair subsurface sewage disposal systems, or engage in the business of removing accumulated wastes from such systems, shall secure a permit from the commissioner, in accordance with this part and rules and regulations promulgated pursuant to this part.

(b) If the permit of an installer of subsurface sewage disposal systems has been suspended or revoked after January 1, 2006, or if the department denies an application for renewal of a permit after January 1, 2006, and the permit is later reinstated or the installer later applies for a new permit, then to be eligible to receive such reinstated or new permit, the installer shall file with the commissioner a performance bond, or an irrevocable letter of credit, in the amount of thirty thousand dollars (\$30,000), for the benefit of any person who hires the installer and is damaged because of any negligence or fraud by the installer. Any person so damaged may sue directly on the bond without assignment of the bond. Liability under any such bond may not exceed, in the aggregate, the amount of the bond. If the bond of such installer later ceases to be in effect, the permit of the installer shall become null and void, subject to reinstatement, if a new bond is provided.